

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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WILLIAM E. CUTHBERT,

Plaintiff,

- against -

THE TOWN OF EAST HAMPTON NEW YORK,
FRANK TROTTA and BARRY JOHNSON,

Defendants.
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JUDGMENT
CV 18-4796 (JS)(AYS)

A Memorandum and Order of Honorable Joanna Seybert, United States District Judge, having been filed on May 19, 2020; adopting the February 21, 2020 Report and Recommendation of United States Magistrate Judge Anne Y. Shields; granting Defendants' motion to dismiss pursuant to Rules 4(m), 12(b)(5) and 12(b)(6) of the Federal Rules of Civil Procedure; dismissing Plaintiff's Complaint; denying *in forma pauperis* status for the purpose of any appeal; and directing the Clerk of the Court to mark this case closed, it is

ORDERED AND ADJUDGED that Plaintiff William E. Cuthbert take nothing of Defendants the Town of East Hampton New York, Frank Trotta, and Barry Johnson; that Defendants' motion to dismiss is granted; that Plaintiff's Complaint is dismissed; that *in forma pauperis* status for the purpose of any appeal is denied; and that this case is closed.

Dated: May 19, 2020
Central Islip, New York

DOUGLAS C. PALMER
CLERK OF THE COURT
By: /s/ James J. Toritto
Deputy Clerk